

REMARKS

Reconsideration of this application as amended is respectfully requested.

In the Office Action, claims 1-4 were pending and rejected. In this response, claims 2-4 have been canceled without prejudice. Claim 1 has been amended. In addition, new claims 5-18 have been added. Thus, claims 1 and 5-18 remain pending. No new matter has been added. Applicants reserve all rights with respect to the application of the doctrine of equivalents.

Claims 1-4 are rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter. In view of the foregoing amendments, it is respectfully submitted that the claims as amended are related to computer implemented methods and systems, thus are patentable subject matters.

Claims 1-4 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. In view of the foregoing amendments, it is respectfully submitted that the rejections have been overcome.

Claims 1-4 are rejected under 35 U.S.C. 102(e) as being anticipated by U.S Patent 2002/0013631 of Parunak et al. ("Parunak"). In view of the foregoing amendments, it is respectfully submitted that claims 1 and 5-18 as amended include limitations that are not disclosed by Parunak.

Specifically, independent claim 1 recites as follows:

1. A computer implemented method for online auction, comprising:
receiving initial values for each bid variable from one of a plurality of enterprise supplier bidders of an online auction for bidding for a lot of goods sponsored by an enterprise buyer, the lot of goods having a plurality of line items and each line item associated with a bid variable;
calculating a total bid value by performing a function on the bid variables using the initial values, the function including a predetermined formula, in

which each line item is associated with a weight factor determined by the enterprise buyer, when combined with a bit variable associated with a respective line item, contributes in the total bid value of the lot of goods;

receiving an updated value for one of the bid variables; and
automatically calculating an adjusted value for the total bid value by
performing the function using the updated value.

(Emphasis added).

Independent claim 1 includes an online auction between an enterprise buyer and multiple enterprise supplier bidders (e.g., business sellers) for a lot of goods having multiple line items, where each line item is associated with a bid variable (having a respective price tag). When one of the bid variable is changed or updated, a function having a predetermined formula is performed, in which each line item is associated with a weight factor determined by the enterprise buyer, when combined with a bit variable associated with a respective line item, contributes in the total bid value of the lot of goods. It is respectfully submitted that the above limitations are absent from Parunak.

Rather, Parunak is related to an analytical system for a market-based constraint optimization within a computer system (see, Abstract of Parunak). Parunak is not related to online auction between a buyer and multiple seller bidders over a network, particularly, between an enterprise buyer and multiple enterprise supplier bidders (e.g., business-to-business online auction).

In addition, there is no disclosure or suggestion within Parunak that the online auction is performed on a lot of goods having multiple line items, where each line item is associated with a bid variable (having a respective price tag). When one of the bid variable is changed or updated, a function having a predetermined formula is performed, in which each line item is associated with a weight factor determined by the enterprise buyer, when combined with a bit variable associated with a respective line item, contributes in the total bid value of the lot of

goods. Therefore, it is respectfully submitted that independent claim 1 is not anticipated by Parunak.

Similarly, independent claims 17-18 include limitations similar to those recited in claim 1. Thus, for the reasons similar to those discussed above, independent claims 17-18 are not anticipated by Parunak.

Given that the reset of the claims depend from one of the above independent claims, at least for the reasons similar to those discussed above, it is respectfully submitted that the reset of the claims are not anticipated by Parunak. Withdrawal of the rejections is respectfully requested.


In view of the foregoing, applicants respectfully submit the present application is now in condition for allowance. If the Examiner believes a telephone conference would expedite or assist in the allowance of the present application, the Examiner is invited to call the undersigned attorney at (408) 720-8300.

Please charge Deposit Account No. 02-2666 for any shortage of fees in connection with this response.

Respectfully submitted,

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